

REMARKS

Favorable reconsideration of this application as presented herein is requested. Claims 1-8 are pending in the present application. In the above amendments, claims 1-8 have been amended. In the Office Action mailed 9/10/2004, the Examiner rejected claims 5-7 under 35 U.S.C. § 102(a), claims 1-4 under 35 U.S.C. § 103(a), and claim 8 under 35 U.S.C. § 103(a).

Claim Rejections under 35 U.S.C. § 102

The Examiner rejected claims 5-7 under 35 U.S.C. § 102(a) as being anticipated by U.S. Publication No. 2003/0125002 to Harrison.

The rejection contends that Harrison teaches a receiver for receiving a data signal transmitted from at least two transmit antennas and through at least two transmit paths. However, Harrison does not disclose the added feature of generating and combining the pre-correction delays and weights. The various delayed and weighted signals for each antenna are summed in a corresponding summer 430 and provided as a corresponding data signal. (See Applicants' Specification. p.9, par.1032.) Harrison merely mentions a delay element and a rake weight computer.

Consequently, the Harrison Publication does not anticipate the structure defined in claims 5-7 of the present application under 35 U.S.C. § 102(a) for at least the foregoing reasons. Since the Harrison Publication does not render claims 5-7, as amended, unpatentable Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

Claim Rejections under 35 U.S.C. § 103

Next, the Examiner rejected claims 1-4 under 35 U.S.C. § 103(a) as being unpatentable over Harrison in view of U.S. Patent No. 6,763,011 to Hakkinen. To establish a prima facie case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation of, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference(s) must teach or suggest all the claim limitations.

The rejection contends that Hakkinen teaches generating and transmitting pre-correction delays and weights. However, Hakkinen does not describe the added feature of combining pre-correction delays and weights. Hakkinen merely discloses a propagation delay unit and antenna weight setting.

Applicants thus respectfully submit that claims 1-4 are not rendered obvious by the Harrison Publication when considered alone or in combination with Hakkinen. Since the Harrison and Hakkinen references do not render claims 1-4, as amended, unpatentable Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

Finally, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Harrison in view of U.S. Patent No. 6,070,086 to Dobrica.

As mentioned above, Harrison fails to teach combining pre-correction delays and weights. Additionally, Dobrica does not describe this feature either.

Applicants thus respectfully submit that claim 8 is not rendered obvious by the Harrison Publication when considered alone or in combination with Dobrica. Since the Harrison and Dobrica references do not render claim 8, as amended, unpatentable Applicants respectfully submit that the rejection thereof be withdrawn by the Examiner.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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